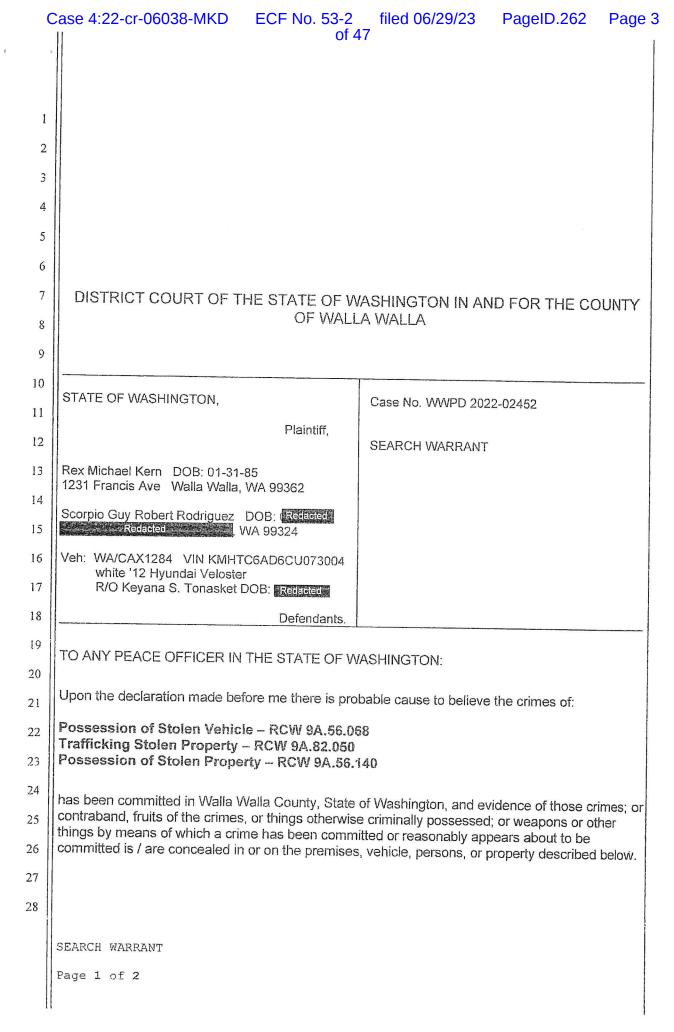
Exhibit B

# February 11, 2022 Search Warrants and Affidavits



YOU ARE COMMANDED TO:

Search, within 10 days of this date, the persons and property described below:

## VEHICLE:

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

WA / CAX1284 a 2012 white Hyundai Veloster hatchback VIN: KMHTC6AD6CU073004 Registered Owner: Keyana Sophia Tonasket DOB: Redated

# **PROPERTY INSIDE VEHICLE TO INCLUDE:**

bags, backpacks, containers, locked compartments, safe

# ITEMS TO BE SEARCHED FOR AND SEIZED IF LOCATED:

- ▶ Evidence pertaining to the crimes listed above, including but not limited to:
  - Items and / or information that is / are evidence of, fruits of, pertain to, and / or was / is being used in the commission of the above listed crimes
- > Items in whatever form evidencing dominion and control of the premises, places, property, items, accounts, and / or persons searched
- Property, checks, credit cards, debit cards, financial information, or other payment cards that appear to have been obtained by theft or burglary; property that is received, retained, possessed, or concealed and belongs to or is entitled to a person other than the person who possessed it
- Receipts, bill of sale, written or typed documents, wallets, bank cards, identification cards, or any other form of documentation associated with the above listed crimes
- > Tools, equipment, serial numbers, or other identifying markings on items that appear to be stolen or belonging to a subjects / entity other than the defendants

Promptly return this warrant to me or the clerk of this court within ten days. The return must include an inventory of all property seized.

A copy of the warrant and a receipt for the property taken shall be given to the person(s) from whom or from whose premises property was taken. If no person is found in possession, a copy and receipt shall be conspicuously posted at the place where the property is found.

Signed February 11th, 2022

The judge's signature, below, was placed by declarant at the judge's direction given by email (preserve and file the email).

Signature: Kastian ASINE

DISTRICT COURT JUDGE

Printed Name of Judge: Kristian Hedine

26

27

28

SEARCH WARRANT

Page 2 of 2

Detective Luke Watson, being first sworn on oath, deposes and says: I have been employed as a Police Officer for the City of Walla Walla since February 2015. Prior to that I was employed at the Walla Walla Sheriff's Office as a Patrol Deputy from April 2007 to February 2015. My training / experience includes but is not limited to: Associate of Arts degree from Walla Walla Community College with courses focused on psychology, sociology, and criminal justice. I have completed the Washington State Criminal Justice Training Commission Basic Law Enforcement Academy in 2008 with 720 classroom hours. I have investigated numerous crimes against persons and businesses including rape, assault, identity theft, robbery, burglary, malicious mischief, and crimes of violence. I have investigated numerous crimes involving possession of drugs and drug paraphernalia. I have also investigated crimes involving weapons such as firearms, metal knuckles, and knives. I have been involved in the application and

Defendants.

AFFIDAVIT FOR SEARCH WARRANT Page 1 of 7

18

19

20

21

22

23

24

25

26

2.7

1

6 7 8

10 11

9

12

13

14

15 16

17

18

19

20 21

22 23

24

25 26

27

28

execution of numerous search warrants in my thirteen years as a Law Enforcement Officer. I have more than 320 hours in gang and drug related training and updates. I spent four years assigned as Gang Coordinator while employed as a Patrol Deputy at Walla Walla Sheriff's Office. Since being employed at the Walla Walla Police Department, I moved into the Special Teams Unit in January 2016 working with the Career Criminal Apprehension Team, Gang Enforcement Team, and Street Crimes Unit. I have also completed an 80-hour Drug Enforcement Administration Basic training in September 2019. Through training and experience, I am familiar with the types of items being sought in this search warrant.

### SPECIFICS OF THE CASE

This affidavit is being submitted for the limited purpose of establishing probable cause. I have not included every fact known concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause.

\*\*\* K9 Watts is certified through the State of Washington (WAC 139-05-915). K-9 Officer Eastman has been a K9 Handler since May 2020. See attached K9 Affidavit and K9 Watts' Certification that I have submitted with the warrant. \*\*\*

#### NARRATIVE / PROBABLE CAUSE

Per Case Report of WWPD Sergeant Bayne #277:

"On 02/11/2022 at approximately 0301, I was conducting patrol in a fully marked vehicle and in full uniform within the city of Walla Walla. I was southbound on Fern Ave approaching Pleasant St when I observed a vehicle in the northbound lane stopped at the stop sign; there were no other vehicles in the immediate area. The vehicle stayed stopped as I approached the intersection, drawing my attention. It had neither left nor right signal indicator flashing which indicated the driver's intent to continue north. Despite no other traffic which to yield the right of way, it sat stationary at the stop sign. I pulled up to the intersection and it slowly entered the four-way stop. I ran the plate as it passed me, continuing north on Fern Ave. The vehicle was a white Hyundai bearing Washington license CAX1284.

The return on my MCT (mobile computer terminal) showed the vehicle as stolen out of Spokane. I made a u-turn and travelled north bound, accelerating to catch the vehicle. I caught the vehicle at N Roosevelt St and E Alder St. I provided the plate to Dispatch and requested another unit for back-up. The vehicle continued north on Roosevelt, turning eastbound on Francis Ave. I notified the responding unit (Officer Keltan Fulmer). The Hyundai then crossed

AFFIDAVIT FOR SEARCH WARRANT Page 2 of 7

2

3

4

5

6

7

8

9

10

II

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

the center line driving the wrong way in the westbound lane and started to pull to the curb in front of 1231 Francis Ave within the city limits of Walla Walla. I activated my emergency overheads and notified OFC K. Fulmer and Dispatch of the stop.

I instructed the driver to roll down his window; he did so. I told him to turn off the vehicle and place the keys on the hood of the car. He then rolled the driver window up and opened the door. OFC K. Fulmer had arrived at this point. I told the driver to face away from me, as I could see an obvious bulge in the front pockets of his sweatshirt. He said he did not understand what was going on. I told him the vehicle was returning as stolen out of Spokane and he was detained for investigation of possession of a stolen vehicle. He turned from me at that point saying he had just bought the car. I told him to put the keys on the hood and he did. then had him move to his left and put his hands in the air; he complied. I had him walk backwards to the sound of my voice; he complied. OFC K. Fulmer and I then placed him in handcuffs explaining again he was not under arrest at that time but was being detained, asking him if he understood; he was compliant with my instructions and said he did understand. I asked him his name and he said Rex Kern. I recognized him at this point from prior investigations to include possession of firearms. I searched him for weapons, feeling what appeared to be a gun shaped object in the sweatshirt. I asked him what it was and he said it was a lighter. I removed the object and it was a torch style lighter. I asked him from whom had he purchased the vehicle and he said a buddy's younger brother. He said the younger brother's name was Scorpio Ramirez or Rodriguez and his buddy's name was Tigger. I knew this to be Tigger Janson who had a younger brother named Scorpio Rodriguez.

Dispatch confirmed the vehicle as stolen through Spokane Police Department and informed us the owner had given permission to search the vehicle if located by law enforcement. Rex Kern was asking to speak with his attorney at this point. I informed him he was under arrest for possession of a stolen vehicle. He said he wanted to call his attorney. I told him he would be given the opportunity to do so once we had rendered the scene safe; the vehicle had not been cleared at this point.

OFC K Fulmer remained with Rex Kern. OFC Silva arrived to assist; we cleared the vehicle, ensuring no other subjects were present. I instructed OFC Silva to transport Rex Kern to jail so he could contact his attorney as soon as possible. OFC Silva took custody of Rex Kern and searched him incident to arrest and prior to transporting. He located a set of keys on the person of Rex Kern which he provided to me. These keys were on a John Deer key ring and included a key to an unknown Ford vehicle, a Sentry key stamped with 3V2, a TriMark key, two brass colored keys with no trademark or stamp, an Ilco key stamped 1606 TM6, and a Dexter by Schlage key stamped 36564. I then requested an evidentiary tow for the recovered stolen car. I took digital pictures of the vehicle. Kyle's Towing was contacted by Dispatch.

I searched the car in the presence of OFC K Fulmer and Deputy Beyer of the Walla Walla County Sheriff's Office. In the vehicle were several backpacks and bags, a nail gun on the passenger side floorboard, as well as plastic containers and a safe located in the trunk. None of

AFFIDAVIT FOR SEARCH WARRANT Page 3 of 7

the closed or locked items were opened by me or any present law enforcement. Once the tow arrived, the vehicle was taken to the Walla Walla Police Department pending a search warrant by the Walla Police Department Street Crimes Unit for investigation into the possession of stolen vehicle and trafficking stolen vehicle.

I later reviewed the report completed by the Spokane Police Department. The vehicle had been reported by the owner, Keyana Tonasket of Spokane, as stolen on 01/27/22. The report indicates she believed the vehicle to have been stolen by Scorpio Rodriguez with whom she has children in common. I contacted Keyana and informed her of the recovery of her vehicle and told her she would be contacted later to make arrangements to retrieve her vehicle and that it would not be incurring any charges while stored in our evidence area. She also informed me she believed Scorpio to be at his aunt's house in Walla Walla.

I relayed this information to the Street Crimes Unit upon their arrival for shift on 02/11/22. I explained to them I additionally have personal knowledge Rex Kern has a criminal history of possession with intent to deliver and delivery of controlled substances. I know through training and experience that stolen property to include vehicles is often used as currency or in trade to pay drug debts or to purchase narcotics. I explained it is my belief based on the stolen vehicle and Rex Kern's possession of said vehicle, there will be evidence of sale, trade or ownership documents in the vehicle showing the nature of the transaction between Scorpio Rodriguez and Rex Kern. I also believed there was a likelihood there was the presence of narcotics in the vehicle for the same reasons. SCU Detective Watson informed me they had information from a credible and reliable source that Rex Kern was involved in significant street level sales in the Walla Walla area. I requested K9 Ofc Eastman conduct apply his narcotics dog to the vehicle; he did so. He informed me the dog did not alert on the car.

I logged the keys recovered from Rex Kern's pocket into the temporary evidence locker, transferring custody to Detective Watson who expressed his intent to apply for the search warrant. I then cleared from the call."

End of Sergeant Bayne's narrative.

I am a Detective with the Walla Walla Police Department Street Crimes Unit. Upon coming into service today (02-11-22), I spoke with Sergeant Bayne and was briefed on this investigation.

I am aware of Rex Kern and his criminal activity over the past couple years as I have been involved in investigations associated with him. I know Kern to have prior convictions to include burglary, possession with intent to deliver controlled substances, and unlawful possession of firearms. I also know of a pending case in Walla Walla Superior Court in which Kern is a defendant regarding a violation of possession with intent to deliver methamphetamine (WWPD 2020-22658). Furthermore, various sources of information have indicated Kern to currently be dealing in controlled substances, notably methamphetamine and fentanyl. I also know subjects in the business of dealing controlled substances often take stolen property as a form of currency

AFFIDAVIT FOR SEARCH WARRANT Page 4 of 7

in lieu of money. I have observed this in previous investigations and subjects involved such activity have indicated this to me in prior interviews.

Sergeant Bayne contacted K-9 Officer Eastman #219. I met WWPD K-9 Officer Eastman #219 at the Walla Walla Police Department Secure Impound Lot with his K-9 partner, Watts. Officer Eastman deployed K-9 Watts around the exterior of the vehicle. After the deployment, Officer Eastman advised K-9 Watts did not alert to the odor of narcotics in which he is trained to detect.

In checking from the outside, I noticed a pneumatic nail gun on the front passenger floorboard as described by Sergeant Bayne. I also observed various other items inside the vehicle as described in Sergeant Bayne's report.

There have been recent construction site burglaries in the area in which various tools and equipment has been stolen. These burglaries were reported to have taken place overnight, in the hours of darkness. I do not know Kern to be employed in the construction business. He has a prior burglary conviction, and he was contacted at about 3am in a stolen vehicle. Therefore, it is my belief the nail gun and possibly other items inside the vehicle may be stolen.

The vehicle Kern was arrested out of was confirmed stolen. It was reported stolen out of Spokane PD on 01-28-22. The registered owner indicated Scorpio Rodriguez had taken it on 01-27-22. This is the subject Kern named as buying the vehicle from. It is my belief there may be documentation in the form of receipts, bill of sale, identification, bank cards, or other types of paperwork to corroborate who was in possession of the stolen vehicle over the past couple weeks. In previous investigations, I have found documentation such as this in bags, backpacks, safes, and inside the stolen vehicle itself. It is my belief, based on training and experience as well as previous investigation, that items showing evidence of subjects involved in these noted violations will be in the bags, backpacks, containers, and / or the safe within the stolen vehicle.

This investigation took place in the City of Walla Walla, County of Walla Walla, State of Washington.

THEREFORE, based on the above facts, I am respectfully requesting a search warrant for the vehicle and property described below:

#### VEHICLE:

1

2

3

4

5

6

7

8

9

10

11

12

13

15

16

17

18

19

20

21

22

23

24

25

26

27

28

WA / CAX1284 a 2012 white Hyundai Veloster hatchback VIN: KMHTC6AD6CU073004 Registered Owner: Keyana Sophia Tonasket DOB: Registered

# PROPERTY INSIDE VEHICLE TO INCLUDE:

bags, backpacks, containers, locked compartments, safe

# **CRIMES BEING INVESTIGATED:**

Possession of Stolen Vehicle – RCW 9A.56.068 Trafficking Stolen Property – RCW 9A.82.050 Possession of Stolen Property – RCW 9A.56.140

AFFIDAVIT FOR SEARCH WARRANT Page 5 of 7

# ITEMS TO BE SEARCHED FOR AND SEIZED IF LOCATED:

2 3

1

Evidence pertaining to the crimes listed above, including but not limited to:

4

Items and / or information that is / are evidence of, fruits of, pertain to, and / or was / is being used in the commission of the above listed crimes

5

> Items in whatever form evidencing dominion and control of the premises, places, property, items, accounts, and / or persons searched

6 7 > Property, checks, credit cards, debit cards, financial information, or other payment cards that appear to have been obtained by theft or burglary; property that is received, retained, possessed, or concealed and belongs to or is entitled to a person other than the person who possessed it

8 9

> Receipts, bill of sale, written or typed documents, wallets, bank cards, identification cards, or any other form of documentation associated with the above listed crimes

10

Tools, equipment, serial numbers, or other identifying markings on items that appear to be stolen or belonging to a subjects / entity other than the defendants

11 12

> This declaration was submitted to the issuing judge using an electronic device that is owned, issued, or maintained by the below-identified criminal justice agency.

13 14

> I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

> > Affiant Signature

16

15

Signed February 11th, 2022, in Walla Walla, WA

file & Water 2798

17

18

19

20

21

22

23 24

25

26

27

28

Affiant Full Name / Badge #: Luke Watson #298

Agency Name: Walla Walla Police Department

The judge's signature, below, was placed by declarant at the judge's direction given by email (preserve and file the email).

Signature: KRISTIAN NEDIWE

DISTRICT COURT JUDGE

AFFIDAVIT FOR SEARCH WARRANT Page 6 of 7

# AFFIDAVIT AND REQUEST FOR SEARCH WARRANT

# Officer Eric Eastman #219, being sworn on oath deposes and says:

I have been employed as a Police Officer for the City of Walla Walla since January of 2016. I am currently assigned as a Narcotics Detection K9 Handler and Patrol Officer for the City of Walla Walla.

# My training and experience include but is not limited to:

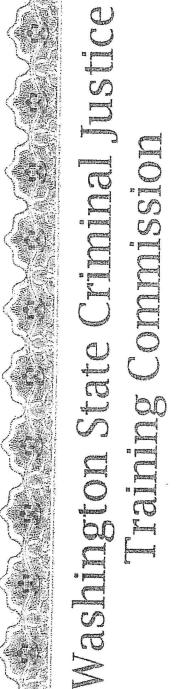
- 1) High school diploma from Walla Walla High School.
- 2) Associate of Science Degree in Criminal Justice from Columbia Southern University.
- 3) Five years of active duty military service in the United States Marine Corps,
- 4) Completion of the Basic Law Enforcement Academy in Spokane in 2016. Which required 720 hours of training.
- 5) Advanced Roadside Impaired Driving Enforcement in Walla Walla in 2019.
- 6) Field Training Officer in Burien in 2019.
- 7) FAA Part 107 UAS pilot certification in 2019.
- 8) Certified narcotics detection K9 team with K9 Watts in May 2020.

# Experience:

I currently am employed as a Narcotics Detection K9 Handler for the Walla Walla Police Department. I currently am the handler for Narcotics Detection K9 Watts. We became a certified narcotics detection K9 team in May 2020. I have been employed by the City of Walla Walla as a Police Officer since January of 2016. Since then, I have worked in the patrol division where I have experienced a wide range of street level crimes to include, but not limited to, theft, burglary, malicious mischief, assault, drug possession/packaging, and crimes of violence. Since employment with the Walla Walla Police Department and my time as an officer, I have assisted in executing several search warrants. During the execution of these warrants, I have observed how drug users and drug dealers live. I have personally observed the following kinds of drug related evidence: Cocaine, heroin, and methamphetamine. I have found paraphernalia for using controlled substances, including, spoons, lighters, foil, cotton, syringes, aluminum cans, mirrors, straws, pipes, razor blades, knives, brillo pads, push rods, and other miscellaneous paraphernalia items used to consume these illegal substances. I am familiar with how controlled substances are packaged, consumed, and sold in the Walla Walla area. I have arrested many suspects who were carrying or selling controlled substances within the Walla Walla area. I have located books, records, receipts, notes, ledgers, diaries, and other papers relating to the possession or distribution of controlled substances. These personal books and papers often include names and telephone numbers for clients or associates who are also involved in the use or sales of controlled substances. I have located U.S. currency which was collected during the distribution of controlled substances. I have also located firearms and other weapons carried by suspects involved in these criminal enterprises. I have had experience with vehicles, and other equipment used to transport or conceal controlled substances both on the street and in training. The identity of occupants is typically established by such things as canceled mail, deeds, leases, rental agreements, photographs, personal diaries, personal phone books, utility bills, telephone bills, statements, and other documents. Lastly, I am familiar with the behaviors and characteristics associated with people under the influence of drugs and or alcohol.

Eric Eastman

K9 Officer Walla Walla Police Department



Recognizes that

# Erics, Eastman & Watts

have met the minimum performance standards as set forth in WAC 139-05-915 and are therefore recognized as a certified Narcotic Detection Canine Jean

May 11, 2020 Certification Date Expiration: Automatically in 24 months

# Inventory and Receipt for Property Seized

WALLA WALLA POLICE DEPARTMENT

Case No.	Items	1
	1	whichester state 61 . 22 L. 1 S/V 213864 heated in Truck
	1	Tanens 729 Shim Times Shir TSZ Z1126, Righter Mag & Treen.
		isonted in helster. In safe, in trank
	3	Black selected zipper has which contained but of orgatel
		substance and save hass of given mother, from sate intro
	)	Sontry safe wike intered in trank
	~	Pholled scales make white Elyran ; one ofens and sliver like to
		in site in trunk
	<u> </u>	wildhers & incher to Rex King, For dine constar to he
		Rein brated in passenger side of vehicle.
	1	Black zisteck confaining lagging of Brystal, Pour der and a
		SLOOP, Icea ford in Black Eigher by from that Floor have
		Come Course Royal han continuing baggies of Green water and
	1	Red colored de trouis State from hille zinger hay from
	,	Front florberg of
	Poles 14	Numerous Hear small ziglock laggios, located in side
		reche ter Black ripper her from front for heard
	ſ	Black Zigner bon confirming M3 pine \$145 para Almalias
****		Togethed in zount ticorde of
	Mult	615 correra y - Du ble Bayard and in paper bug - NOT Course
		icea Ird in black zigeter how from front floter heard
		I vehicle title I Bill of Sale for a 2012 Hyunder,
		Black Colored cell phones, located in front Sont of While
	2	Diale Latertal Let photos , lecuted in front Sout of behice
		other Tiers
		1/2 64
- Andrews	- and other transportation of the	
		213
		Officer 152
RANT NO.	エピスコー	(Signature)
RRANT NO. ORT NO.	エピスユー	Officer (Signature)  (Signature of Witness)

2

4

5

7

9

10 11

12

13 14

15

16 17

18

19

20

21 22

23

24

26

25

27

28

# YOU ARE COMMANDED TO:

Search, within 10 days of this date, the persons and property described below:

#### VEHICLE:

WA / CAX1284 a 2012 white Hyundai Veloster hatchback VIN: KMHTC6AD6CU073004 Registered Owner: Keyana Sophia Tonasket DOB: 02-07-89

# PROPERTY INSIDE VEHICLE TO INCLUDE:

bags, backpacks, containers, locked compartments, safe

# ITEMS TO BE SEARCHED FOR AND SEIZED IF LOCATED:

- > Evidence pertaining to the crimes listed above, including but not limited to:
  - o Items and / or information that is / are evidence of, fruits of, pertain to, and / or was / is being used in the commission of the above listed crimes
- Items in whatever form evidencing dominion and control of the premises, places, property, items, accounts, and / or persons searched
- Property, checks, credit cards, debit cards, financial information, or other payment cards that appear to have been obtained by theft or burglary; property that is received, retained, possessed, or concealed and belongs to or is entitled to a person other than the person who possessed it
- Receipts, bill of sale, written or typed documents, wallets, bank cards, identification cards, or any other form of documentation associated with the above listed crimes
- > Tools, equipment, serial numbers, or other identifying markings on items that appear to be stolen or belonging to a subjects / entity other than the defendants
- A drug, substance, or immediate precursor included in Schedules I through V as set forth in the Revised Codes of Washington; methamphetamine, cocaine, heroin or crack cocaine and other illegal narcotics
- Drug paraphernalia including but not limited to: smoking devices used in the ingestion of controlled substances, packaging materials, weighing scales and other paraphernalia associated with the ingestion or possession of controlled substances
- Drug paraphernalia including equipment used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance other than marijuana

SEARCH WARRANT

Page 2 of 3

> A weapon or device from which a projectile or projectiles may be fired by an explosive 1 such as gunpowder, ammunition, bullets, magazines, clips, and other parts associated 2 with a firearms o Including but not limited to the observed pump action .22 caliber rifle with 3 wooden stock in the rear hatch of the vehicle o Including but not limited to the observed pistol with black handgrip in the safe 4 5 Promptly return this warrant to me or the clerk of this court within ten days. The return must include an inventory of all property seized. 6 7 A copy of the warrant and a receipt for the property taken shall be given to the person(s) from whom or from whose premises property was taken. If no person is found in possession, a copy and 8 receipt shall be conspicuously posted at the place where the property is found. 9 Signed February 11th, 2022 10 11 The judge's signature, below, was placed by declarant at the judge's direction given by 12 email (preserve and file the email). 13 Signature: LIEISTIAN HEDINE DISTRICT COURT JUDGE 14 Printed Name of Judge: Kristian Hedine 15 16 17 18 19 20 21 22 23 24 25 26 27 28 SEARCH WARRANT

Page 3 of 3

Detective Luke Watson, being first sworn on oath, deposes and says: I have been employed as a Police Officer for the City of Walla Walla since February 2015. Prior to that I was employed at the Walla Walla Sheriff's Office as a Patrol Deputy from April 2007 to February 2015. My training / experience includes but is not limited to: Associate of Arts degree from Walla Walla Community College with courses focused on psychology, sociology, and criminal justice. I have completed the Washington State Criminal Justice Training Commission Basic Law Enforcement Academy in 2008 with 720 classroom hours. I have investigated numerous crimes against persons and businesses including rape, assault, identity theft, robbery, burglary, malicious mischief, and crimes of violence. I have investigated numerous crimes involving possession of drugs and drug paraphernalia. I have also investigated crimes involving weapons such as firearms, metal knuckles, and knives. I have been involved in the application and

AFFIDAVIT FOR SEARCH WARRANT Page 1 of 7

24

25

26

27

execution of numerous search warrants in my thirteen years as a Law Enforcement Officer. I have more than 320 hours in gang and drug related training and updates. I spent four years assigned as Gang Coordinator while employed as a Patrol Deputy at Walla Walla Sheriff's Office. Since being employed at the Walla Walla Police Department, I moved into the Special Teams Unit in January 2016 working with the Career Criminal Apprehension Team, Gang Enforcement Team, and Street Crimes Unit. I have also completed an 80-hour Drug Enforcement Administration Basic training in September 2019. Through training and experience, I am familiar with the types of items being sought in this search warrant.

## SPECIFICS OF THE CASE

This affidavit is being submitted for the limited purpose of establishing probable cause. I have not included every fact known concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause.

\*\*\* K9 Watts is certified through the State of Washington (WAC 139-05-915). K-9 Officer Eastman has been a K9 Handler since May 2020. See attached K9 Affidavit and K9 Watts' Certification that I have submitted with the warrant. \*\*\*

#### NARRATIVE / PROBABLE CAUSE

Per Case Report of WWPD Sergeant Bayne #277:

"On 02/11/2022 at approximately 0301, I was conducting patrol in a fully marked vehicle and in full uniform within the city of Walla Walla. I was southbound on Fern Ave approaching Pleasant St when I observed a vehicle in the northbound lane stopped at the stop sign; there were no other vehicles in the immediate area. The vehicle stayed stopped as I approached the intersection, drawing my attention. It had neither left nor right signal indicator flashing which indicated the driver's intent to continue north. Despite no other traffic which to yield the right of way, it sat stationary at the stop sign. I pulled up to the intersection and it slowly entered the four-way stop. I ran the plate as it passed me, continuing north on Fern Ave. The vehicle was a white Hyundai bearing Washington license CAX1284.

The return on my MCT (mobile computer terminal) showed the vehicle as stolen out of Spokane. I made a u-turn and travelled north bound, accelerating to catch the vehicle. I caught the vehicle at N Roosevelt St and E Alder St. I provided the plate to Dispatch and requested another unit for back-up. The vehicle continued north on Roosevelt, turning eastbound on Francis Ave. I notified the responding unit (Officer Keltan Fulmer). The Hyundai then crossed

1

4 5

6

7 8

10 11

12 13

14

15 16

17

18

19 20

21 22

23 24

25

26

27 28 the center line driving the wrong way in the westbound lane and started to pull to the curb in front of 1231 Francis Ave within the city limits of Walla Walla. I activated my emergency overheads and notified OFC K. Fulmer and Dispatch of the stop.

I instructed the driver to roll down his window; he did so. I told him to turn off the vehicle and place the keys on the hood of the car. He then rolled the driver window up and opened the door. OFC K. Fulmer had arrived at this point. I told the driver to face away from me, as I could see an obvious bulge in the front pockets of his sweatshirt. He said he did not understand what was going on. I told him the vehicle was returning as stolen out of Spokane and he was detained for investigation of possession of a stolen vehicle. He turned from me at that point saying he had just bought the car. I told him to put the keys on the hood and he did. then had him move to his left and put his hands in the air; he complied. I had him walk backwards to the sound of my voice; he complied. OFC K. Fulmer and I then placed him in handcuffs explaining again he was not under arrest at that time but was being detained, asking him if he understood; he was compliant with my instructions and said he did understand. I asked him his name and he said Rex Kern. I recognized him at this point from prior investigations to include possession of firearms. I searched him for weapons, feeling what appeared to be a gun shaped object in the sweatshirt. I asked him what it was and he said it was a lighter. I removed the object and it was a torch style lighter. I asked him from whom had he purchased the vehicle and he said a buddy's younger brother. He said the younger brother's name was Scorpio Ramirez or Rodriguez and his buddy's name was Tigger. I knew this to be Tigger Janson who had a younger brother named Scorpio Rodriguez.

Dispatch confirmed the vehicle as stolen through Spokane Police Department and informed us the owner had given permission to search the vehicle if located by law enforcement. Rex Kern was asking to speak with his attorney at this point. I informed him he was under arrest for possession of a stolen vehicle. He said he wanted to call his attorney. I told him he would be given the opportunity to do so once we had rendered the scene safe; the vehicle had not been cleared at this point.

OFC K Fulmer remained with Rex Kern. OFC Silva arrived to assist; we cleared the vehicle, ensuring no other subjects were present. I instructed OFC Silva to transport Rex Kern to jail so he could contact his attorney as soon as possible. OFC Silva took custody of Rex Kern and searched him incident to arrest and prior to transporting. He located a set of keys on the person of Rex Kern which he provided to me. These keys were on a John Deer key ring and included a key to an unknown Ford vehicle, a Sentry key stamped with 3V2, a TriMark key, two brass colored keys with no trademark or stamp, an Ilco key stamped 1606 TM6, and a Dexter by Schlage key stamped 36564. I then requested an evidentiary tow for the recovered stolen car. I took digital pictures of the vehicle. Kyle's Towing was contacted by Dispatch.

I searched the car in the presence of OFC K Fulmer and Deputy Beyer of the Walla Walla County Sheriff's Office. In the vehicle were several backpacks and bags, a nail gun on the passenger side floorboard, as well as plastic containers and a safe located in the trunk. None of

2

3

4

5

6

7

8

9

10

11

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

the closed or locked items were opened by me or any present law enforcement. Once the tow arrived, the vehicle was taken to the Walla Walla Police Department pending a search warrant by the Walla Walla Police Department Street Crimes Unit for investigation into the possession of stolen vehicle and trafficking stolen vehicle.

I later reviewed the report completed by the Spokane Police Department. The vehicle had been reported by the owner, Keyana Tonasket of Spokane, as stolen on 01/27/22. The report indicates she believed the vehicle to have been stolen by Scorpio Rodriguez with whom she has children in common. I contacted Keyana and informed her of the recovery of her vehicle and told her she would be contacted later to make arrangements to retrieve her vehicle and that it would not be incurring any charges while stored in our evidence area. She also informed me she believed Scorpio to be at his aunt's house in Walla Walla.

I relayed this information to the Street Crimes Unit upon their arrival for shift on 02/11/22. I explained to them I additionally have personal knowledge Rex Kern has a criminal history of possession with intent to deliver and delivery of controlled substances. I know through training and experience that stolen property to include vehicles is often used as currency or in trade to pay drug debts or to purchase narcotics. I explained it is my belief based on the stolen vehicle and Rex Kern's possession of said vehicle, there will be evidence of sale, trade or ownership documents in the vehicle showing the nature of the transaction between Scorpio Rodriguez and Rex Kern. I also believed there was a likelihood there was the presence of narcotics in the vehicle for the same reasons. SCU Detective Watson informed me they had information from a credible and reliable source that Rex Kern was involved in significant street level sales in the Walla Walla area. I requested K9 Ofc Eastman conduct apply his narcotics dog to the vehicle; he did so. He informed me the dog did not alert on the car.

I logged the keys recovered from Rex Kern's pocket into the temporary evidence locker, transferring custody to Detective Watson who expressed his intent to apply for the search warrant. I then cleared from the call."

End of Sergeant Bayne's narrative.

I am a Detective with the Walla Walla Police Department Street Crimes Unit. Upon coming into service today (02-11-22), I spoke with Sergeant Bayne and was briefed on this investigation.

I am aware of Rex Kern and his criminal activity over the past couple years as I have been involved in investigations associated with him. I know Kern to have prior convictions to include burglary, possession with intent to deliver controlled substances, and unlawful possession of firearms. I also know of a pending case in Walla Walla Superior Court in which Kern is a defendant regarding a violation of possession with intent to deliver methamphetamine (WWPD 2020-22658). Furthermore, various sources of information have indicated Kern to currently be dealing in controlled substances, notably methamphetamine and fentanyl. I also know subjects in the business of dealing controlled substances often take stolen property as a form of currency

in lieu of money. I have observed this in previous investigations and subjects involved such activity have indicated this to me in prior interviews.

Sergeant Bayne contacted K-9 Officer Eastman #219. I met WWPD K-9 Officer Eastman #219 at the Walla Walla Police Department Secure Impound Lot with his K-9 partner, Watts. Officer Eastman deployed K-9 Watts around the exterior of the vehicle. After the deployment, Officer Eastman advised K-9 Watts did not alert to the odor of narcotics in which he is trained to detect.

In checking from the outside, I noticed a pneumatic nail gun on the front passenger floorboard as described by Sergeant Bayne. I also observed various other items inside the vehicle as described in Sergeant Bayne's report.

There have been recent construction site burglaries in the area in which various tools and equipment has been stolen. These burglaries were reported to have taken place overnight, in the hours of darkness. I do not know Kern to be employed in the construction business. He has a prior burglary conviction, and he was contacted at about 3am in a stolen vehicle. Therefore, it is my belief the nail gun and possibly other items inside the vehicle may be stolen.

The vehicle Kern was arrested out of was confirmed stolen. It was reported stolen out of Spokane PD on 01-28-22. The registered owner indicated Scorpio Rodriguez had taken it on 01-27-22. This is the subject Kern named as buying the vehicle from. It is my belief there may be documentation in the form of receipts, bill of sale, identification, bank cards, or other types of paperwork to corroborate who was in possession of the stolen vehicle over the past couple weeks. In previous investigations, I have found documentation such as this in bags, backpacks, safes, and inside the stolen vehicle itself. It is my belief, based on training and experience as well as previous investigation, that items showing evidence of subjects involved in these noted violations will be in the bags, backpacks, containers, and / or the safe within the stolen vehicle.

# \*\*\* AMENDMENT \*\*\*

A search warrant and search warrant affidavit were submitted for review in which Walla Walla District Court Judge Hedine reviewed the documents, finding there to be Probable Cause to issue the warrant.

Detective Bump and I went to the Walla Walla Police Department Secured Impound Lot to serve the search warrant. I began photographing the exterior of the white Hyundai vehicle at approximately 1409 hours. We then opened the three doors as well the hatchback. I photographed the items inside the vehicle. We then began to search the vehicle, starting with the items in the hatchback portion. Detective Bump removed items and held them as I continued to photograph. After removing a portable vacuum, a tool set, and tote of clothing, we located what appears to be an older .22 caliber pump action rifle with brown wooden pump grip and stock. Continuing the search for items listed in the original warrant, Detective Bump used the Sentry Safe key on the key chain located in Kern's pocket during his arrest to open the safe in the hatchback. Upon opening the safe, we observed what appears to be the black hand grip of a pistol being held in a holster inside the safe. Also, in the safe we observed a clear white case which contained what I believe to be a digital scale. On the inside of this clear case there appears to be white residue. Based on my training and experience, this digital scale appears to be that which is used to weigh controlled substances such as methamphetamine. The white

powder residue observed on the case enclosing the scale appears to be a controlled substance 1 such as methamphetamine. 2 Detective Bump and I halted the search and secured the items back in the vehicle pending the 3 application of an amended search warrant. 4 In doing a criminal history check, Kern was found to be convicted of several felonies in Washington, Oregon, and Idaho. Amongst the felonies are various counts of unlawful 5 possession of firearm as well as possession with intent to deliver controlled substances. 6 7 This investigation took place in the City of Walla Walla, County of Walla Walla, State of 8 Washington. 9 THEREFORE, based on the above facts, I am respectfully requesting a search warrant for the 10 vehicle and property described below: 11 VEHICLE: WA / CAX1284 a 2012 white Hyundai Veloster hatchback VIN: KMHTC6AD6CU073004 12 Registered Owner: Keyana Sophia Tonasket DOB Redacted 13 PROPERTY INSIDE VEHICLE TO INCLUDE: bags, backpacks, containers, locked compartments, safe 14 15 CRIMES BEING INVESTIGATED: Possession of Stolen Vehicle - RCW 9A.56.068 16 Trafficking Stolen Property – RCW 9A.82.050 Possession of Stolen Property - RCW 9A.56.140 17 Unlawful Possession of Firearms - RCW 9.41.040 Possession with Intent to Deliver Controlled Substance - RCW 69.50.401 18 Possession of Drug Paraphernalia - RCW 69.50.412 19 ITEMS TO BE SEARCHED FOR AND SEIZED IF LOCATED: 20 Evidence pertaining to the crimes listed above, including but not limited to: 21 o Items and / or information that is / are evidence of, fruits of, pertain to, and / or was / is being used in the commission of the above listed crimes 22 > Items in whatever form evidencing dominion and control of the premises, places, 23 property, items, accounts, and / or persons searched 24 Property, checks, credit cards, debit cards, financial information, or other payment cards 25 that appear to have been obtained by theft or burglary; property that is received. retained, possessed, or concealed and belongs to or is entitled to a person other than 26 the person who possessed it 27 Receipts, bill of sale, written or typed documents, wallets, bank cards, identification cards, or any other form of documentation associated with the above listed crimes 28

AFFIDAVIT FOR SEARCH WARRANT Page 7 of 7

# DISTRICT COURT OF THE STATE OF WASHINGTON IN AND FOR THE COUNTY OF WALLA WALLA

STATE OF WASHINGTON,

Case 4:22-cr-06038-MKD

Case No. WWPD 2022-02452

Page 26

Plaintiff,

RETURN OF SERVICE

\*\*\* AMENDED \*\*\*

Rex Michael Kern DOB: 01-31-85

1231 Francis Ave

Walla Walla, WA 99362

Scorpio Guy Robert Rodriguez DOB: Redacted Redacted WA 99324

Veh: WA/CAX1284 VIN KMHTC6AD6CU073004

white '12 Hyundai Veloster

R/O Keyana S. Tonasket DOB: Redacted

Defendants.

This is to certify that I, DETECTIVE LUKE WATSON, received the above entitled Search Warrant on February 11th, 2022, and that pursuant to the command therein, I made due and diligent search on February 11th, 2022, of the vehicle and property described therein with the assistance of the following persons:

# **DETECTIVE WIKE BUMP #213**

I FURTHER CERTIFY that the attached inventory contains a true and detailed account of the property seized by me on the warrant and that a copy of this warrant, together with a detailed receipt for the property taken, was:

\*\*\* Placed on the front windshield of \*\*\*

Signed February 11th, 2022 in Walla Walla, WA

Signature of Officer: Lh R wanted

Detective Luke Watson #298 Walla Walla Police Department

# DISTRICT COURT OF THE STATE OF WASHINGTON IN AND FOR THE COUNTY OF WALLA WALLA

STATE OF WASHINGTON,

Case No. WWPD 2022-02452

Plaintiff,

RETURN OF SERVICE

Rex Michael Kern DOB: 01-31-85

1231 Francis Ave Walla Walla, WA 99362

Scorpio Guy Robert Rodriguez DOB: (Redacted Redacted , WA 99324

Veh: WA/CAX1284 VIN KMHTC6AD6CU073004

white '12 Hyundai Veloster R/O Keyana S. Tonasket DOB: Redacted

Defendants.

This is to certify that I, DETECTIVE LUKE WATSON, received the above entitled Search Warrant on February 11th, 2022, and that pursuant to the command therein. I made due and diligent search on February 11th, 2022, of the vehicle and property described therein with the assistance of the following persons:

#### **DETECTIVE MIKE BUMP #213**

I FURTHER CERTIFY that the attached inventory contains a true and detailed account of the property seized by me on the warrant and that a copy of this warrant, together with a detailed receipt for the property taken, was:

\*\*\* Placed on the front windshield of \*\*\*

Signed February 11th, 2022 in Walla Walla, WA

Signature of Officer: AL R was 2003

Detective Luke Watson #298 Walla Walla Police Department

# AFFIDAVIT AND REQUEST FOR SEARCH WARRANT

# Officer Eric Eastman #219, being sworn on oath deposes and says:

I have been employed as a Police Officer for the City of Walla Walla since January of 2016. I am currently assigned as a Narcotics Detection K9 Handler and Patrol Officer for the City of Walla Walla.

# My training and experience include but is not limited to:

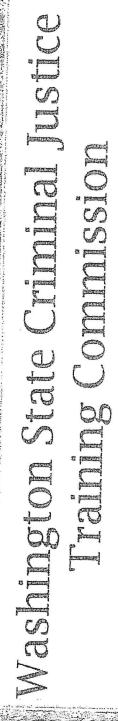
- 1) High school diploma from Walla Walla High School.
- 2) Associate of Science Degree in Criminal Justice from Columbia Southern University.
- 3) Five years of active duty military service in the United States Marine Corps,
- 4) Completion of the Basic Law Enforcement Academy in Spokane in 2016. Which required 720 hours of training.
- 5) Advanced Roadside Impaired Driving Enforcement in Walla Walla in 2019.
- 6) Field Training Officer in Burien in 2019.
- 7) FAA Part 107 UAS pilot certification in 2019.
- 8) Certified narcotics detection K9 team with K9 Watts in May 2020.

#### Experience:

I currently am employed as a Narcotics Detection K9 Handler for the Walla Walla Police Department. I currently am the handler for Narcotics Detection K9 Watts. We became a certified narcotics detection K9 team in May 2020. I have been employed by the City of Walla Walla as a Police Officer since January of 2016. Since then, I have worked in the patrol division where I have experienced a wide range of street level crimes to include, but not limited to, theft, burglary, malicious mischief, assault, drug possession/packaging, and crimes of violence. Since employment with the Walla Walla Police Department and my time as an officer, I have assisted in executing several search warrants. During the execution of these warrants, I have observed how drug users and drug dealers live. I have personally observed the following kinds of drug related evidence: Cocaine, heroin, and methamphetamine. I have found paraphernalia for using controlled substances, including, spoons, lighters, foil, cotton, syringes, aluminum cans, mirrors, straws, pipes, razor blades, knives, brillo pads, push rods, and other miscellaneous paraphernalia items used to consume these illegal substances. I am familiar with how controlled substances are packaged, consumed, and sold in the Walla Walla area. I have arrested many suspects who were carrying or selling controlled substances within the Walla Walla area. I have located books, records, receipts, notes, ledgers, diaries, and other papers relating to the possession or distribution of controlled substances. These personal books and papers often include names and telephone numbers for clients or associates who are also involved in the use or sales of controlled substances. I have located U.S. currency which was collected during the distribution of controlled substances. I have also located firearms and other weapons carried by suspects involved in these criminal enterprises. I have had experience with vehicles, and other equipment used to transport or conceal controlled substances both on the street and in training. The identity of occupants is typically established by such things as canceled mail, deeds, leases, rental agreements, photographs, personal diaries, personal phone books, utility bills, telephone bills, statements, and other documents. Lastly, I am familiar with the behaviors and characteristics associated with people under the influence of drugs and or alcohol.

Eric Eastman

K9 Officer Walla Walla Police Department



Recognizes that

# Erics, Eastman & Watts

have met the minimum performance standards as set forth in WAC 139-05-915 and are therefore recognized as a certified Narcotic Defection Canine Team

May 11, 2020 Certification Date

Expiration: Automatically in 24 months

# Inventory and Receipt for Property Seized

WALLA WALLA POLICE DEPARTMENT

Box or ase No.	No. of Items	. INVENTORY OF SEIZURES
	i	whichesto sald 61 . 22 6,1 3/1 213564 located in Truck
	3	Tanens 769 Show Your Shir TJZ Z1126, Aug the 1944 & Trans
		Located in helster in safe, in touch
	1	Black releved zipper bug which contained bug et engotal
		substance and two has of given mother, focus sage into
	<u> </u>	Sentry safe wikey instead in trank
	7	Digital scales - one subsite deriving one oten and silver, hade
		in Fate in trunk
		Wildherse Forwaher to Rex Kein; Free drink ungater ter R
		Rein beared in fassingers side of vehicle.
	1	Blue zinher conferming bargins of Coystal, Powder and
		Scop, Icea feet in Black Einser hay from the Floor has
	/	Green Course Royal han continuing bassies of born water and
	j	int hollo wif geren matter, Susta hine to zighter han tring the
		Front flerberg &
	Phy 14	Nomerous cheer small zinkele hayins, located in side
	1	see to t it Black zigner had from front for hard
	· ·	Black Zigner how confirming MS pipe \$175 pare Phone is
		located in sport thooker of
	Mult	US coveres - Dauble Bayard and in paper bag - NOT Coin
		icented in black zigher han from trong floto beard
		I vehicle fifthe I Bill of Set for a 3017 House la.
		Black Colored cell phones, bested in front Sout of which
	===	Black Colored cell phones, located in front Sout of Wahie
		aller I forms
	<u> </u>	No Char Liter
	. Server a server serve	
RANT NO	- 2622-	6 2452 Officer (Signature)
ORT NO.	and to the	(Signature)
MILL HAD.		

July 21, 2022 Search Warrants and Affidavits

2 3 4 5 DISTRICT COURT, WALLA WALLA COUNTY, WASHINGTON 6 7 STATE OF WASHINGTON 8 CASE NO: 2022-14884 ) ss. COUNTY OF WALLA WALLA 9 DECLARATION FOR SEARCH WARRANT 10 Officer Nick Klicker #230 declares under penalty of perjury under the laws of the State of 11 Washington that the following is true and correct: 12 On the basis of the following, I believe there is probable cause that Rex Michael Kern Jr. DOB 01/31/1985 has/have committed the below-identified crime(s) in Walla Walla County, 13 State of Washington, and that; 14 [X] Evidence of the crime(s): RCW 69.50.401 Possession with Intent to Deliver 15 [X] Contraband, the fruits of a crime, or things otherwise criminally possessed; [ ] Weapons or other things by means of which a crime has been committed or reasonably 16 appears about to be committed: 17 [ ] A person for whose arrest there is probable cause, or who is unlawfully restrained; is/are located in, on, at, or about the following described Persons, Premises and Vehicles: 18 19 Gray 2004 Ford Mustang WA/CCS4071 20 VIN# 1FAFP42X54F140643 Driven/Operated by: Rex Michael Kern Jr. 01/31/1985 21 Owner/Registered to: Rex Michael Kern Jr. 22 Owner Address: 1231 Francis Ave. 23 Currently parked, unoccupied, and running at 217 Prospect Ave Walla Walla WA 99362 24 On the basis of the following, I, Officer Nick Klicker #230, believe there is probable cause that 25 Rex Michael Kern Jr. DOB 01/31/1985 has/have committed the above identified crime(s) in Walla Walla County, State of Washington, and that evidence of this crime is in the above listed 26 locations and/or on their persons. SEARCH WARRANT DECLARATION Page 1 of 5 Version: 09.22.20

Dispatch advised the warrant was confirmed. Officer Lemons arrived on scene to assist. I 1 notified Rex of the confirmed warrant and asked him to place his hands behind his back. I placed 2 him into restraints checked them for proper gauge and double locked them. Dispatch was notified that he was in custody. Rex was searched incident to arrest and placed into my patrol 3 vehicle. While searching Rex I located a key/fob in his pocket that he said belonged to his Jeep Liberty on scene. WA/ CCS3972. Rex was also in possession of a green glass pipe with a bulb at 4 the end of it. In my training and experience I know this type of pipe is typically used for smoking 5 methamphetamine. Rex was also found in possession of brass knuckles. These brass knuckles were located in his left pants pocket. 6 7 Rex was concerned about his Ford Mustang WA/CCS4071 that was currently running at an idol on the property. Rex was trying to get back to the vehicle when I initially contacted him. He was 8 very concerned and wanted to make sure someone took the vehicle. After placing Rex into my patrol vehicle I went up to the vehicle to examine it. Inside the vehicle I observed a backpack on 9 the front passenger seat of the vehicle. The backpack had two pipes that appeared to be marijuana pipes and a small zip lock bag that was privately packaged with marijuana inside. In 10 the backseat behind the front passenger seat, there is a black and silver lock box. This lock box 11 was of interest due to the fact that Rex is on pre-trial release for Possession with Intent reference incident number 2022-2452 Walla Walla PD. Reference this incident Rex had a lock box in the 12 vehicle that contained a firearm and a large quantity of methamphetamine. In my training and experience, a subject that is dealing or selling narcotics carry locking type containers to protect 13 the valuable contents of controlled substances. 14 Officer Lemons transported Rex to the Walla Walla County Jail without incident for the 15 confirmed felony warrant. 16 Officers assisted with me with contacting the property owner on scene Richard Eugene Cornwell 17 DOB Redacted 1993. 18 The Ford Mustang is registered to Rex, and he stated that he is the owner of the vehicle. 19 The mustang is currently parked on the edge of 217 Prospect Ave in the driveway of the 20 property. 21 This declaration for search warrant is asking to grant permission for K-9 Handler Officer Eastman to enter the parking stall on the northeast end of the property approximately 50 ft. from Prospect Ave. The vehicle is located at 217 Prospect Ave. Walla Walla Washington to conduct a 23 K-9 sniff of the vehicle. 24 25 THEREFORE: 26 Based on all the foregoing information, I believe that evidence of the above-listed crime(s) exists at the above-described property/properties; in the above described vehicle(s) and

-SEARCH WARRANT -DECLARATION-

Page 3 of 5 Version: 09.22.20

28-

Page 35

with the above-identified persons, and that there is probable cause to search the above identified 1 property/properties and vehicle(s) and person(s) for the following items: 2 3 ITEMS TO BE SEARCHED FOR AND SEIZED IF LOCATED: 4 > Evidence in whatever form of the above listed crime(s) including but not limited to: 5 --- Items and/or information that is/are evidence of, fruits of, pertain to, and/or was/is being used in the commission of the listed crime(s); 6 7 RCW 69.50.401 Possession with Intent to Deliver: Controlled substances and prescription medication in whatever form, including, but not 8 limited to; Fentanyl, Methamphetamine, Cocaine, Heroin. 9 Drug paraphernalia and packaging items including, but not limited to; Scales, baggies, 10 measuring devices, drug ledgers, cash, smoking/ingestion devices, syringes. 11 12 13 Items in whatever form evidencing dominion and control of the property/residence 14 searched. 15 217 Prospect Ave. Walla Walla Washington 99362 16 Responsible: Richard Eugene Cornwell DOB 11/20/1993 17 > Any items related to and/or from any of the listed business(s) and/or individual(s). 18 19 Rex Michael Kern Jr. DOB 01/31/1985 20 21 22 23 24 25 26 28

SEARCH WARRANT DEGLARATION

Page 4 of 5 Version: 09.22.20

1	This declaration was submitted to the issuing judge using an electronic device that is
2	owned, issued, or maintained by the below-identified criminal justice agency.
3	I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.
4	Signed this 21 day of July 2022, at Walla Walla, WA.
5	
6	Declarant's Signature: Webs Chelle #36
7	OR, if submitted electronically or by phone:
8	Declarant's full name: /s/ Nick Klicker
9	Agency Badge/Serial or Personnel #: <u>230</u> Agency Name: <u>Walla Walla Police Department</u>
10	
11	The judge's signature, below, was placed by declarant at the judge's direction given by email (preserve and file the email).
12	Signature: <u>Judga Kristian</u> Hedine
13	DISTRICT COURT JUDGE
14	
15	Printed Judge's Name: <u>Kristian E. Hedine</u>
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	STATES OF THE ST
28-	SEARCH WARRANT DECLARATION Page 5 of 5 Version: 09.22.20

SENT AT THE REQUEST OF WWPD

# Nick Klicker

From:

Kristian Hedine <khedine@co.walla-walla.wa.us>

Sent:

Thursday, July 21, 2022 5:43 PM

To:

Nick Klicker

Cc: Subject: Kristian Hedine Fwd: 2022-14884 Declaration for Search Warrant

Attachments:

2022-14884 Kern Declaration for Search Warrant. .pdf; 2022-14884 Kern Search Warrant

.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Officer Klicker: I have reviewed the attached affidavit for the search warrant. There is probable cause to issue the warrant. You are hereby authorized to sign my name to the warrant and proceed with the search of the suspect's vehicle and its contents as described in the attachments. Thank you.

From: "Nick Klicker" < nklicker@wallawallawa.gov > Subject: 2022-14884 Declaration for Search Warrant

Date: 21 July 2022 17:33

To: "Kristian Hedine" < khedine@co.walla-walla.wa.us>

# CAUTION: This email was sent from outside Walla Walla Counity. Please exercise caution when clicking links or opening attachments within this email.

Honorable Judge Hedine.

I have attached an affidavit for a search warrant to this email. Please review at your convenience. Thank you for your consideration in the matter.

Respectfully submitted,

Officer Nick Klicker #230 Walla Walla Police Department Patrol Division

\* \* \* \* \* \* SPECIAL PUBLIC DISCLOSURE NOTICE TO RECIPIENT(S): Information contained in any communication to or from the City of Walla Walla, including attachments, may be subject to the disclosure requirements of Washington's Public Records Act, Ch. 42.56 RCW.

On the basis of the following, I, <u>Det. S. Reyna #266</u>, believe there is probable cause that **Rex Michael Kern Jr. DOB 01/31/1985** has/have committed the above identified crime(s) in Walla Walla County, State of Washington, and that evidence of this crime is in the above listed locations and/or on their persons.

I have the following qualifications and education pertaining to investigations:

I have been employed by the Walla Walla Police Department as a Police Officer since January 5<sup>th</sup> 1998, and I have the following qualifications and education pertaining to RCW: 9.41.040- Unlawful Possession of a Firearm 1<sup>st</sup>.

# Training:

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16 17

18

19

20

21

22

23

24

25

26

27

28

- 1. Graduated from the Walla Walla Community College with an Associates Degree.
- 2. Graduated from the WWPD Reserve Police Officer Academy in October 1997.
- 3. Graduated from the Washington State Criminal Justice Training Commission Basic Law Enforcement Academy in April 1998.
- 4. EVOC instructor class, driver training, (40) hours.
- 5. Received over 1000 hours of Gang related training and updates.
- 6. Member of the Northwest Gang Investigator Association.
- 7. Successfully completed TASER X26 training.
- 8. Successfully completed (6) hour training on Drug Endangered Children Program.
- 9. Successfully completed (40) hour Criminal Investigations (0221) course.
- 10. Successfully completed (80) hour Basic Drug Investigation Course (May 16th 27th 2022).

#### Experience:

I am currently employed as a Walla Walla Regional Drug and Gang Task Force Officer for the Walla Walla Police Department. I have experienced a wide variety of crimes to include, but not limited to homicides, shootings, assaults, robberies, burglaries, arsons, kidnappings, thefts, malicious mischief, drug possession / delivery / manufacturing, and crimes of violence. Since employment with the Walla Walla Police Department, I have participated in numerous search warrants, where I have successfully recovered suspects, weapons (i.e. firearms and knives), narcotics (i.e. Marijuana, Cocaine, Heroin, Methamphetamine, Fentanyl, and prescription medication). I am familiar with how controlled substances are manufactured, packaged, consumed, and sold in the Walla Walla area. During my assignment in the Special Teams / Street Crimes Unit / Task Force, I have investigated over 500 gang related crimes, including property crimes and crimes of violence. I have given over 100 gang presentations to local service groups, schools, and city staff. I am familiar with the gang mentality and the local gang trends for the Walla Walla Valley. I have knowledge of the Walla Walla Valley's gang members and affiliation.

# PROBABLE CAUSE:

I have not included each fact known concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause and are based on my knowledge of the situation, as told by me, from my own observations and other Officers on scene. My belief is based upon the following facts and circumstances:

SEARCH WARRANT DECLARATION

Page 2 of 6 Version: 09.22.20

# \*\*\*ORIGINAL PROBALE CAUSE INFORMATION OF OFC. N. KLICKER #230\*\*\*

On 07/21/2022 at approximately 1506 hours, while on regular uniformed patrol, I observed Rex Michael Kern Jr. DOB 01/31/1985 walking back and forth between two vehicles a gray Ford Mustang and a Green Jeep Liberty at 217 Prospect Ave. He was in and out of both vehicles. Earlier in the shift I saw that Rex had an unconfirmed felony warrant out of Walla Walla County Superior Court. I ran his name through dispatch and notified dispatch that I would be out with him at the location. Dispatch advised of the unconfirmed warrant, and I asked them to confirm. Dispatch advised the warrant was confirmed. Officer Lemons arrived on scene to assist. I notified Rex of the confirmed warrant and asked him to place his hands behind his back. I placed him into restraints checked them for proper gauge and double locked them. Dispatch was notified that he was in custody. Rex was searched incident to arrest and placed into my patrol vehicle. While searching Rex I located a key/fob in his pocket that he said belonged to his Jeep Liberty on scene. WA/ CCS3972. Rex was also in possession of a green glass pipe with a bulb at the end of it. In my training and experience I know this type of pipe is typically used for smoking methamphetamine. Rex was also found in possession of brass knuckles. These brass knuckles were located in his left pants pocket.

Rex was concerned about his Ford Mustang WA/CCS4071 that was currently running at an idol on the property. Rex was trying to get back to the vehicle when I initially contacted him. He was very concerned and wanted to make sure someone took the vehicle. After placing Rex into my patrol vehicle I went up to the vehicle to examine it. Inside the vehicle I observed a backpack on the front passenger seat of the vehicle. The backpack had two pipes that appeared to be marijuana pipes and a small zip lock bag that was privately packaged with marijuana inside. In the backseat behind the front passenger seat, there is a black and silver lock box. This lock box was of interest due to the fact that Rex is on pre-trial release for Possession with Intent reference incident number 2022-2452 Walla Walla PD. Reference this incident Rex had a lock box in the vehicle that contained a firearm and a large quantity of methamphetamine. In my training and experience, a subject that is dealing or selling narcotics carry locking type containers to protect the valuable contents of controlled substances.

Officer Lemons transported Rex to the Walla Walla County Jail without incident for the confirmed felony warrant.

Officers assisted with me with contacting the property owner on scene Richard Eugene Cornwell DOB Redacted

The Ford Mustang is registered to Rex, and he stated that he is the owner of the vehicle.

The mustang is currently parked on the edge of 217 Prospect Ave in the driveway of the property.

This declaration for search warrant is asking to grant permission for K-9 Handler Officer Eastman to enter the parking stall on the northeast end of the property approximately 50 ft. from

SEARCH WARRANT DECLARATION Page 3 of 6 Version: 09.22.20

I

Prospect Ave. The vehicle is located at 217 Prospect Ave. Walla Walla Washington to conduct a K-9 sniff of the vehicle. 2 I applied for a search warrant on scene and submitted it via email to Judge Hedine at 1733 hours. 3 At 5:43 PM Judge Hedine replied to the email and advised that there was probable cause to issue the warrant. He gave me permission to sign his name on the warrant. 5 Officer Eastman arrived on scene. A copy of the signed warrant was given to Richard on scene 6 and explained to him. He stated that he understood. 7 At approximately 1757 hours, Officer Eastman deployed K-9 Watts. Officer Eastman advised 8 that K-9 Watts alerted to the vehicle. Officer Eastman called for an evidentiary tow to the scene. Lightfoot's Towing arrived and took possession of the vehicle. During the process of loading the 10 vehicle, the back passenger tire went flat. Lightfoot's transported the vehicle to the Walla Walla Police Department Corp Yard pending application of search warrant for the crime of 69.50.401 11 Possession with Intent to Deliver. The vehicle was secured with evidence tape at all access points and secured on scene. 12 13 I am applying for a second declaration for search warrant to search of the vehicle WA/CCS4071 for the aforementioned crimes listed above. 14 \*\*\*AMENDED\*\*\* 15 K9 Watts is certified through the State of Washington (WAC 139-05-915). Officer Eastman has been a K9 Handler since May 2020. See his attached Affidavit and K9 Watts' certification that 17 have been submitted with the warrant. 18 19 \*\*\*\*\*END OF ORIGINAL PROBALE CAUSE INFORMATION\*\*\*\*\* 20 21

\*\*NEW AMENDED INFORMATION FOR UNLAWFUL POSSESION OF FIREARM(S)\*\*

On 07-22-2022, at about 9:15 A.M., Det. J. Langlois, Det. S. Thompson, Evidence Ofc. N. Williams and I went to the secure Walla Walla Police Department vehicle storage located at 55 E. Moore St. in Walla Walla, Washington 99362. We were serving Ofc. N. Klicker's granted search warrant on the aforementioned probable cause information. This search warrant is for Rex Michael Kern Jr's Gray, 2004, Ford Mustang, bearing Washington License Plate #: CCS4071.

SEARCH WARRANT DECLARATION

Page 4 of 6 Version: 09.22.20

22

23

24

25

26

27

3

4

5

6

7

8

10

12

13 14

15

16 17

18

19

20

21 22

23

2425

26

27 28 original listed offense: RCW 69.50.401- Possession of Narcotics with intent to Deliver, Det. S. Thompson located a black semi-automatic pistol, in a black nylon holster.

During our lawful search of the Ford Mustang, and while searching for evidence of the

This firearm was inside a black and gray backpack, which was on the front passenger seat. This backpack also contained a distribution amount of suspected Methamphetamine, a distribution amount of suspected blue Fentanyl pills, and a large amount of US cash money. The firearm was left in place as it is not covered under the original search warrant.

Det. S. Thompson continued her search under the authority of the original search warrant for narcotics related evidence. In a silver case, which was in the back seat area of the Ford Mustang, Det. S. Thompson discovered a second black semi-automatic firearm along with a bag of bullets. This firearm was also left in place as it is not covered under the original search warrant.

I left the secure vehicle storage area and went to the Walla Walla Police Station to apply for an amended search warrant to search for, photograph, and to collect evidence of the crime of RCW: 9.41.040- Unlawful Possession of Firearm(s).

On 07-22-2022, at about 9:51. A.M., I requested Records Technician D. Hood run a criminal history check on Rex Michael Kern Jr. / DOB: 01-31-1985. I know Rex to be a convicted felon, but I wanted to confirm this. The criminal history check revealed that Rex Michael Kern Jr. / DOB: 01-31-1985 has multiple felony convictions. Due to these convictions, Rex is prohibited from lawfully possessing firearms.

I am respectfully requesting a search warrant to search the Ford Mustang for evidence of the crime of: RCW: 9.41.040- Unlawful Possession of Firearm(s) and to photograph and collected the firearms and all firearm accessories to include: Magazines, bullets, fired cartridge casings, holsters, dominion and control documents showing Rex as the owner and or the possessor of firearms. Violations occurred within the City / County limits of Walla Walla.

#### THEREFORE;

Based on all the foregoing information, I believe that evidence of the above-listed crime(s) exists at the above-described property/properties, in the above-described vehicle(s) and with the above-identified persons, and that there is probable cause to search the above identified property/properties and vehicle(s) and person(s) for the following items:

#### ITEMS TO BE SEARCHED FOR AND SEIZED IF LOCATED:

Evidence in whatever form of the above listed crime(s) including but not limited to:
--- Items and/or information that is/are evidence of, fruits of, pertain to, and/or was/is

SEARCH WARRANT DECLARATION Page 5 of 6

Page 5 OI 6 Version: 09.22.20

1	being used in the commission of the listed crime(s);				
2	RCW: 9.41.040- Unlawful Possession of a Firearm(s):				
3	To photograph and collect all firearms and all firearm accessories to include: Magazines,				
4	bullets, fired cartridge casings, holsters, dominion and control documents showing Rex as				
5	the owner and or the possessor of firearms.				
6	Items in whatever form evidencing dominion and control of the property/residence searched.				
8	> Any items related to and/or from any of the listed business(s) and/or individual(s).				
9	Rex Michael Kern Jr. / DOB 01/31/1985				
10					
11	This declaration was submitted to the issuing judge using an electronic device that is owned, issued, or maintained by the below-identified criminal justice agency.				
12	I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.				
13					
14	Signed this 22nd day of July 2022, at Walla Walla, WA.				
15	Declarant's Signature: 4306				
16	OR, if submitted electronically or by phone:				
17					
18 19	Declarant's full name: /s/ Saul V. Reyna Agency Badge/Serial or Personnel #: 266				
20	Agency Name: Walla Walla Police Department				
21	The judge's signature, below, was placed by declarant at the judge's direction given by email (preserve and file the email).				
22	Signature: TYDGE KRISTIAN E. HEDINE				
23					
24	DISTRICT COURT JUDGE				
25	Printed Judge's Name: Kristian E. Hedine				
26					
27					
28	SEARCH WARRANT DECLARATION  Page 6 of 6  Version: 09.22.20				

1 2 3 4 5 DISTRICT COURT, WALLA WALLA COUNTY, WASHINGTON 6 7 STATE OF WASHINGTON CASE NO: 2022-14884 ) SS. 8 COUNTY OF WALLA WALLA SEARCH WARRANT (AMENDED) FOR FIREARM(S) 9 10 TO ANY PEACE OFFICER IN THE STATE OF WASHINGTON: 11 Upon the declaration made before me there is probable cause to believe that the crime(s) 12 of RCW 9.41.040- Unlawful Possession of a Firearm(s) is/are being committed, 13 has/have been committed, and/or are about to be committed in Walla Walla County, State of Washington, and that evidence of that/those crime(s); or contraband, the fruits 14 of crime, or things otherwise criminally possessed; or weapons or other things by means of which a crime has been committed or reasonably appears about to be committed; or a 15 person for whose arrest there is probable cause, or who is unlawfully restrained is/are 16 concealed in or on certain premises, vehicles or persons. 17 YOU ARE COMMANDED TO: 18 Search and or seize, within 10 days of this date, the person(s), premises, vehicle(s) described 19 as follows: 20 Gray 2004 Ford Mustang WA/CCS4071 21 VIN# 1FAFP42X54F140643 Driven/Operated by: Rex Michael Kern Jr. 01/31/1985 22 23 Owner/Registered to: Rex Michael Kern Jr. Owner Address: 1231 Francis Ave. 24 Currently Stored at: 25 Walla Walla Police Department (Vehicle Impound) 55 E Moore St 26 Walla Walla, Wa 99362 27

If issued by a Superior Court Judge and served outside Washington State: This warrant is issued pursuant to RCW 10.96.020. A response is due within twenty business days of receipt, unless a shorter time is stated herein, or the applicant consents to a recipient's request for additional time to comply. SEARCH WARRANT

Page 1 of 2 09.22.20

## ITEMS TO BE SEARCHED FOR AND SEIZED IF LOCATED:

Evidence in whatever form of the above listed crime(s) including but not limited to:
--- Items and/or information that is/are evidence of, fruits of, pertain to, and/or was/is being used in the commission of the listed crime(s);

RCW 9.41.040- Unlawful Possession of Firearm(s):

To photograph and collect all firearms and all firearm accessories to include: Magazines, bullets, fired cartridge casings, holsters, dominion and control documents showing Rex as the owner and or the possessor of firearms.

Items in whatever form evidencing dominion and control of the property/residence searched.

Any items related to and/or from any of the listed business(s) and/or individual(s). Rex Michael Kern Jr. DOB 01/31/1985

Promptly return this warrant to me or the clerk of this court within ten (days). The return must include an inventory of all property seized.

A copy of the warrant and a receipt for the property taken shall be given to the person from whom or from whose premises property is taken. If no person is found in possession, a copy and receipt shall be conspicuously posted at the place where the property is found.

Date/Time: 07/22/2022 @ 12:15 P.A.

The judge's signature, below, was placed by declarant at the judge's direction given by email (preserve and file the email).

Signature: DUBE KRISTIAN E HEGGE

DISTRICT COURT JUDGE

Printed Judge's Name: Kristian E. Hedine

If issued by a Superior Court Judge and served outside Washington State: This warrant is issued pursuant to RCW 10.96.020. A response is due within twenty business days of receipt, unless a shorter time is stated herein, or the applicant consents to a recipient's request for additional time to comply. SEARCH WARRANT

Page 2 of 2

3

б

5

7

9

10

11

12

14

15 16

17

18

19 20

21

22

23

24 25

26 27

28

110 1/5

1	[DISTRICT] COURT, WALLA WALLA COUNTY, WASHINGTON					
2	CIED I CIDAL CAR AAT I CIRRARI CIDO CARA					
3	STATE OF WASHINGTON					
4	COUNTY OF WALLA WALLA ) RETURN OF SEARCH WARRANT					
5						
6	This is to certify that I, <u>Det. S. Reyna #266</u> received the above entitled Search Warrant on the <u>22nd</u> day of <u>July</u> , <u>2022</u> , and that pursuant to the command contained therein, I made due and					
7	diligent search on the <u>22nd</u> day of <u>July, 2022</u> , of the property and premises described therein the assistance of the following persons:					
9	Det. J. Langlois					
10	Det. S. Thompson					
11						
12	Present at the location at the time of the search warrant service were:					
13						
14	Evidence Ofc. N. Williams					
15						
16	I further certify that a copy of the Search Warrant was:					
17						
18	Given to, the person from whom it was taken.					
19	Given to, the responsible party of the premises.					
20	X Posted at WA/CCS4071, a conspicuous place where the said property was found.					
21	Faxed / emailed to [fax number/email address] per the protocols					
22	of the company where the said property will be found (**this search warrant is only for					
23	production of records from the company's database and a response is not expected for up to several weeks).					
24						
25	Signature of Officer: Date: 07-22-2022					
26	Det. Saul V. Resha #266					
27	Walla Walla Police Department					
28	RETURN OF SEARCH WARRANT Page 1 of 1 Version: 11.03.14					

# Inventory and Receipt for Property Seized

WALLA WALLA POLICE DEPARTMENT

0	1/	54 E Moore St. WW
Name Kex	1-31-19	Address Gray 3004 Ford Mistang Date 7/22/2022 Time 09: 00 AM
Box or Case No.	No. of Items	INVENTORY OF SEIZURES
1	1	I longe plastic bag of crystal substance from small
		gray" Glosom" body located in gray backpack on
		Front passinger seat - DOC 2931 - 0922 AM
1	jų,	1 zaplac baggie of numerous small lowe pills with
		"M" stamped on them from small arou "Glosm" bag
		located in gray backpack on front passanger seat
		-DOC3431 - 0924 AM
3	1	small gray "Glosom" rippered bag which contained
-		Constant sinctions and when all since do I am I all a
		gray backpack on front passenger seat-2002931
14	1	longe amount of US corrency from Front zigoeral goods
		of small gray "Glosom" long located in gray backpack
		on Point Dassenger Seat - THOS - 09:30 AM
_5_		Contrainer of "Super Silver Hoze" bulk connabing flower
		located inside gray back pack on front passenger
		seat. Choside container is indidually packaged
(0	9	green 55/55tance) - DOC 2931 - 0948AM
10	<u> </u>	Small ziploc bagg to with green brown vegetable Substance located on Front passager Seat-oggingum
7	8	Masterpiece Arms 91mm proto 1 s/N: B11373 landed
*		inside silver lock box on floorboard behind
		Dassoner Seat - DX 75131 -212450m
8	3	2 black magazines (1 loaded), zioloc baa with
		cummo located inside silver lock box on floorboard
		behind passenger sect - DOC 2931 - 12:15pm
9	<i>l</i>	I silver locklook that held amm is stol, mags, &
		commo locado d on floorboard behind passenger seat-12:15on
10		PATMOS PEO DISTOI SIN: O located in gray backrack
11	-	on tront passager seat - DOC7931 - 12,20pm (full magazine)
11	- 1	gray backpack which contained gun + druge + mu
12	į	Hort passager sect-DC 2931 - 12:21 pm black holsler from a ray Backpark-passager sect-0002931 12:20
- Years	***************************************	The state of the s
		Arresting Officer Signature
WARRENT NO.	3033	- 14884 (Signature of Witness))
MEPUHI NO.		·
		(Signature of Witness))